

REMARKS

Claims 1 through 20 are pending in the subject application. Claims 1-5 and 7-14 stand rejected under 35 U.S.C. 103(a). Claim 6 has been allowed. Claims 15-20 have been newly added. Claims 1, 5, 7, 8, 13, and 14 have been amended.

The Applicant appreciates the Examiner's thorough examination of the subject application and respectfully requests reconsideration of the subject application based on the above amendments and the following remarks.

35 U.S.C. § 103(a) REJECTIONS

The Examiner has rejected claims 1-4, 8-11 [sic: 10], and 13 under 35 USC 103(a) as being unpatentable over the prior art in view of U.S. Patent Number 6,396,089 to Lin, et al. ("Lin" or the "Lin Reference") and claims 5, 7, 11, 12, and 14 under 35 USC 103(a) as being unpatentable over the prior art in view of Lin further in view of published European patent application EP 0 887 847 A1 to DeSanti, et al. ("DeSanti" of the "DeSanti Reference"). The Applicant respectfully traverses these rejections based on the above amendments and for reasons detailed below.

Claims 1-4, 8-10, and 13

The Examiner asserts that, the admitted prior art discloses all of the features of the invention as claimed except for a passivation section with a planar/flat top surface, which the Examiner maintains is taught by the Lin Reference. The Examiner further asserts that, Lin discloses a "passivation section" that includes a silicon-oxy-nitride layer 310, an oxide layer 308, an SOG layer 306, and another oxide layer 304. The Applicant respectfully maintains that, Lin teaches a discontinuous, two-part "passivation section" comprising a silicon-rich (SRO) oxide layer 304 and a silicon-oxy-nitride layer 310, in between which are disposed a planarization layer 306 and a TEOS adhesion layer 308, which layers are not "passivation layers". Moreover, the Applicant

Applicant respectfully maintains that, the silicon-oxy-nitride layer 310 is inherently flat or planar because the layer is deposited, e.g., by CVD, on an already planar layer 308. Only SRO layer 304 is deposited on a non-planar surface, i.e., the bonding pads 302. Clearly, from FIG. 3 and the passage cited by the Examiner, the Lin reference does not teach, mention or suggest planarizing passivation SRO layer 304.

Claims 1, 8, and 13 have been amended further to recite that there is a single, continuous, passivation layer having a substantially flat top surface. The admitted prior art does not teach a planar or flat top surface. The Lin reference teaches multiple, discontinuous passivation layers that are only planar when deposited on an already planar surface. Otherwise, the passivation layers are non-planar.

With respect to claim 2, the Applicant respectfully asserts that, the Lin reference expressly teaches away from a silicon nitride passivation section and therefore the grounds for rejection are improper. Indeed, as noted by the Examiner,

the [Lin] invention utilizes a silicon-oxy-nitride layer and a SOG with high transmittance to replace the silicon nitride passivation layer and the plain film in prior art.

Lin, col. 2, lines 42-44 (Emphasis added). Indeed, per Lin, silicon nitride passivation layers transmit insufficient light. See, e.g., Id., col. 2, lines 3-6. Therefore, the use of Lin is improper.

Claims 5, 7, 11, 12 and 14

Claims 5, 7, and 14 also have been amended to recite that the top surface of a single, continuous, thin film used for the passivation section is flattened or that the top surface of a single, continuous passivation section is flattened. The admitted prior art does not teach a planar or flat top surface. The Lin reference teaches multiple, discontinuous passivation layers that are only planar when deposited on an already planar surface. Otherwise, the passivation layers are non-planar.

Nor can the DeSanti reference make up for the deficiencies of the admitted prior art and Lin references. Specifically, DeSanti does not teach, mention or suggest providing a planarization section immediately overlying a passivation section "having a substantially flat top surface" to eliminate non-planar, e.g., stepped, areas that otherwise might cause reflected and refracted light.

Therefore, it is respectfully submitted that, claims 5, 7, 11, 12, and 14 are not made obvious by the admitted prior art in view of Lin further in view of DeSanti and, further, satisfy the requirements of 35 U.S.C. 100, et seq., especially § 103(a). Accordingly, claims 5, 7, 11, 12, and 14 are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

New Claims 15-20

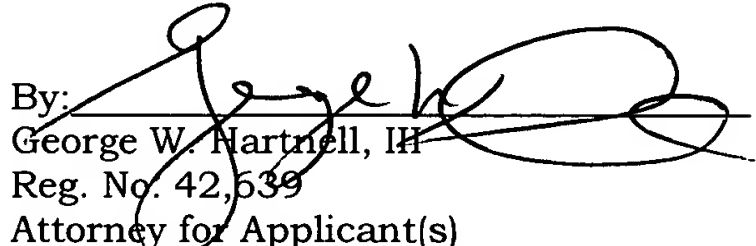
Independent device claim 15 has been newly added. Claim 15 recites that the selection ratio of the planarization section to the passivation section is about 1:1, which feature the Examiner has indicated is allowable in method claim 6. Claims 16-20 depend from claim 15. Therefore, it is respectfully submitted that, claims 15-20 are not made obvious by the admitted prior art in view of Lin further in view of DeSanti and, further, satisfy the requirements of 35 U.S.C. 100, et seq., especially §103(a). Accordingly, claims 15-20 are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

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The Applicant believes that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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